

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

KEVIN O'SHEA, et al.,  
Plaintiffs,

v.

24 HOUR FITNESS USA, INC.,  
Defendant.

Case No. [16-cv-01668-JSW](#)

**ORDER DISCHARGING ORDER TO  
SHOW CAUSE RE *PRO HAC VICE*  
APPLICATION OF RAFEY S.  
BALABANIAN, ESQ.**

Re: Dkt. Nos. 14, 21

On May 19, 2016, the Court issued an order to show cause regarding the *pro hac vice* application of Rafey S. Balabanian, Esq. On May 26, 2016, Mr. Balabanian filed a response to the order to show cause. The deadline for Defendant to file an optional response has passed, and Defendant has elected not to respond.

Upon review of the record, the response to the order to show cause, and Civil Local Rule 11-3(b), the Court hereby DISCHARGES the order to show cause. It is ambiguous whether Mr. Balabanian's circumstances fall within the scope of the exception to disqualification under Local Rule 11-3(b). However, in any event, Local Rule 11-3(b) provides that individuals otherwise disqualified under section (b) may be "authorized . . . by an order of the assigned judge" to be "eligible for permission to practice *pro hac vice*." The Court finds that here, where Mr. Balabanian has passed the California bar exam and is awaiting the results of his application for determination of moral character, such authorization is warranted.

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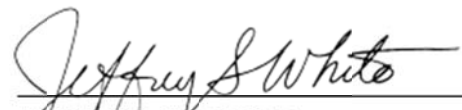
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1 The Court will grant Mr. Balabanian's *pro hac vice* application by separate order.

2 **IT IS SO ORDERED.**

3 Dated: June 8, 2016

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6 JEFFREY S. WHITE  
United States District Judge  
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